

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

Examiner Garrett is kindly thanked for indicating that Claims 2, 4-8 and 12-20 would be allowable if rewritten in independent form.

Claims 2, 12 and 13 are rewritten in independent form, Claims 1, 3 and 9-11 are canceled, and Claim 16 is amended to depend from Claim 15 rather than Claim 5 so as to avoid redundancy with respect to Claim 6. It is thus respectfully submitted that all of the claims in this application are allowable over the prior art.

With respect to the claim rejection based on the second paragraph of 35 U.S.C. § 112, the Official Action notes that the claim language reciting that the seat cushion and seat back keep a constant posture by operation of the link mechanism and the drive unit is somewhat awkward and unclear. Although the Official Action does not specifically reference Claim 1 in setting forth this rejection, it is understood that the same observation applies to Claim 1 as such claim sets forth quite similar language.

The language in question simply conveys that support of the seat cushion is maintained by operation of the link mechanism and the drive unit when the seat cushion is moved between the seating position and the stowed position. The present application points out that in prior seat assemblies such as the seat assembly discussed at the bottom of page one of the present application, the user must support the seat assembly as the seat assembly is moved between the seating and stowed positions. In contrast, as discussed for example in paragraphs [0023] and [0026] of the present application, the seat assembly here does not require such

support by the user because support of the seat cushion is maintained by the link mechanism and the drive unit. Thus, the claim language in question is not intended to necessarily require that the seat cushion and seat back do not tilt when the seat cushion is moved between the seating position and the stowed position or that the seat back maintains an upright position relative to the seat cushion when the seat cushion is moved between the seating position and the stowed position. Rather, the claim language is merely intended to convey that support of the seat cushion is maintained by the link mechanism and the drive until so as not to require that the same type of user support as is the case with prior seat assemblies. The independent claims have been worded to define this originally claimed aspect of the present invention in a less awkward manner and now set forth that when the seat cushion is moved between the seating position and the stowed position, support of the seat cushion is maintained by operation of the link mechanism and the drive unit.

In the event the Examiner still has concerns regarding this claim language, she is kindly asked to telephone the undersigned so that such matter can be discussed and expeditiously resolved.

In light of the foregoing, withdrawal of the claim rejection based on the second paragraph of 35 U.S.C. §112 is respectfully requested.

It is believed that this application is in condition for allowance and such action is earnestly solicited.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful

in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL PC

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